

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

NATIONAL UNION FIRE
INSURANCE COMPANY OF
PITTSBURGH, PENNSYLVANIA,
FACTORY MUTUAL INSURANCE
COMPANY, ZURICH AMERICAN
INSURANCE COMPANY,
ASSOCIATED ELECTRIC & GAS
INSURANCE SERVICES,
LIMITED, ARCH INSURANCE
COMPANY (EUROPE) LTD., and
CERTAIN UNDERWRITERS AT
LLOYD'S LONDON subscribing to
policies of insurance,

Plaintiffs,

Case No. 3:13-cv-00115

v.

SIEMENS ENERGY, INC., f/k/a
SIEMENS POWER GENERATION,
INC.,

Defendant.

DECLARATION OF SALLY DUNNING

1. I, Sally Dunning, am a citizen and resident of the United Kingdom, over the age of 18, and competent to testify to the matters set forth herein if called upon to do so.

2. I am employed as a Technical Specialist by the Corporation of Lloyd's ("Lloyd's").

3. In that capacity, my duties include compiling Syndicate and Lloyd's member information as set forth herein. As a result, I have personal knowledge of the matters contained herein and can make this Declaration from personal knowledge.

4. Lloyd's is not an insurance company. It is the regulator of and service provider to an insurance market, familiarly known as the Lloyd's Market, where underwriting members of Lloyd's (various individuals and, since 1994, corporate entities) underwrite insurance risks.

5. The underwriting members do not operate independently, but group together for administrative convenience in Syndicates. Syndicates subscribe to insurance policies, sometimes referenced as "risks". Each member is severally liable on the policies to which the Syndicates subscribe, only for the member's respective proportion of each policy or risk underwritten by the Syndicate.

6. I have examined the "Signing Schedule" listing the Syndicates that subscribed to Unique Market Reference (UMR) B0180/E100696 the insurance policy issued to NRG Energy, Inc. for the effective period from June 15, 2010 to June 15, 2011.

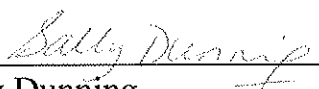
7. Among the Syndicates subscribing to the above listed policy at its inception and on or about March 11, 2011 was Hiscox Syndicate 33, a syndicate with members presently transacting business in the Lloyd's Market, and which also had members transacting business in the Lloyd's Market during the account year 2010.

8. Based on current Lloyd's records, one of the individual members participating in Hiscox Syndicate 33 was a resident of the State of Florida on June 15, 2010 and on March 11, 2013, the date on which I am informed Plaintiffs filed their complaint in this matter.

9. At the time of participation on UMR B0180/E100696 Hiscox Syndicate 33 consisted of 1919 members. While the respective several shares of the collective percentage subscribed by the 1919 members varies, the percentage share of the individual member participating in Hiscox Syndicate 33 who was a resident of the State of Florida on June 15, 2010 and March 11, 2013, was 0.01181%.

10. I declare under penalty of perjury under the laws of the United States of America that the forgoing is true and correct.

So Declared this 16th day of May, 2013



Sally Dunning